

REMARKS

Initially, Applicant would like to thank the Examiner for acknowledging receipt of the drawings filed with the present application on March 30, 2005. Additionally, Applicant would like to thank the Examiner for acknowledging Applicant's claim for foreign priority under 35 U.S.C. §119, as well as receipt from the International Bureau of copies of certified copies of the priority document upon which Applicant's claim for foreign priority is based. Finally, Applicant would like to thank the Examiner for acknowledging consideration of each of the documents listed on Forms PTO-1449 submitted with an Information Disclosure Statement on July 6, 2005.

In the outstanding Official Action, the previous Election of Species Requirement dated April 13, 2007 was made final. Accordingly, claim 1 remained pending and claims 2-6 were withdrawn from consideration. Claim 1 was rejected under 35 U.S.C. §102(e) over CUTSHALL et al. (U.S. Patent Application Publication No. 2003/0115926).

Upon entry of the present amendment, claims 1-6 will have been cancelled and claim 7-17 will have been added for consideration. In this regard, claims 7-17 are based on original claims 1-6, as well as details of the embodiments disclosed in the specification. However, claims 7-17 include only a single method claim 7, based on original claims 1-6 but revised to more clearly recite the features of the invention to which the pending claims are directed.

The cancellation of claim 1 has rendered moot the rejection of claim 1 over CUTSHALL. Nevertheless, Applicant traverses the outstanding rejection of claim 1 under 35 U.S.C. §102(e) over CUTSHALL insofar as claims 7-17 recite combinations of features similar to the combinations of features previously recited in claims 1-6.

New independent claim 7 is directed to features of separating the raw material for the product from a workpiece comprising the raw material while leaving a micro joint connection

between the raw material and the workpiece, bending a portion of the raw material downward, and separating the micro joint connection.

In contrast, CUTSHALL does not disclose numerous of the features recited in previous claim 1 or the features recited in new claims 7-17. In this regard, CUTSHALL does not anywhere so much as use the term “bend” or a similar term, or the term “micro joint” or a similar term. Further, the cited paragraph [0033] and Figure 5 of CUTSHALL is limited to a description of forming a finished part 90 from a workpiece 44 by: a.) piercing and trimming using tooling 85, b.) forming using tools 86, and c.) cutting using tooling 88. As is evident based on a simple comparison between the features of new independent claim 7 and the disclosure of the cited portions of CUTSHALL, CUTSHALL does not disclose or suggest the features recited in new independent claim 7.

Accordingly, new independent claim 7 is allowable under 35 U.S.C. §102(e) over CUTSHALL at least because CUTSHALL does not disclose or suggest the combination of features recited in new independent claim 7. Claims 8-17 are allowable under 35 U.S.C. §102(e) over CUTSHALL at least for depending, directly or indirectly, from an allowable independent claim 7 as well as for additional reasons related to their own recitations.

Additionally, any subsequent new prior art rejection of the new claims will not have been necessitated by the herein-contained amendments, and would therefore not be appropriately made final. Rather, as described above, features of both previous claim 1 and new claims 7-17 are not disclosed or suggested by CUTSHALL, and the herein-contained amendments are not necessitated to overcome the outstanding rejection of claim 1 over CUTSHALL.

Any amendments which have been made in this Response, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have

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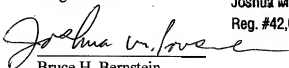
been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
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